THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

W.P.No.10703 of 2007

Dated: 23.05.2007

Between:

M.Madhusudhan Reddy

.. Petitioner

And

The Superintendent of Police, Karimnagar and others

.. Respondents.

ORDER:

This writ petition is filed for the following relief:

> "…..declaring the action of the respondents more particularly the action of respondents 3 and 4 in not taking any steps for registering the case and also for causing investigation even after receipt of the complaint dated 14-5-2007 (Ex.P.1) filed by the petitioner before the Judicial Magistrate of First Class, Karimnagar and which was referred to the P.S. L.M.D. Colony under Section 156(3) Cr.P.C. on the same date in spite of the fact that respondent No.5 herein has committed cognizable and non-cognizable offences i.e. offences under Sections 342, 384 and 506 IPC as illegal and arbitrary."

From the averments contained in the affidavit and the material filed, it is clear that the petitioner has already filed a private complaint under Section 200 Cr.P.C. before the jurisdictional Magistrate, who in turn referred the matter under Section 156(3) Cr.P.C. for investigation to the police. The grievance of the petitioner is that the police has not so far filed a report.

If there is failure on the part of the investigating agency, it is always open to the petitioner to move appropriate application before the jurisdictional Magistrate. The writ petition is therefore wholly misconceived and it is dismissed. No costs.

C.V.NAGARJUNA REDDY, J

Date: 23.05.2007

kvni/kdl